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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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UTAH PHYSICIANS FOR A HEALTHY  
ENVIRONMENT,

Plaintiff,

v.

DIESEL POWER GEAR LLC; 4X4  
ANYTHING LLC; B&W AUTO LLC;  
SPARKS MOTORS LLC; DAVID W.  
SPARKS; DAVID KILEY; JOSHUA  
STUART; and KEATON HOSKINS,

Defendants.

**JUDGMENT IN A CIVIL CASE**

Case No. 2:17-cv-00032-RJS-DBP

Chief Judge Robert J. Shelby

Magistrate Judge Dustin B. Pead

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This action came before the court for a bench trial. The issues have been tried, and the court has entered its Bench Trial Order. Accordingly,

**IT IS ORDERED AND ADJUGED:**

1. that judgment be entered in favor of Plaintiff Utah Physicians for a Healthy Environment and against Defendants Diesel Power Gear LLC, B&W Auto LLC, David W. Sparks, Joshua Stuart, and Keaton Hoskins, payable to the United States as follows:

- a. Defendant Keaton Hoskins in the amount of \$86,107;
- b. Defendant B&W Auto LLC in the amount of \$114,426;
- c. Defendants B&W Auto LLC and David W. Sparks, jointly and severally,  
in the amount of \$333,700;
- d. Defendants Diesel Power Gear LLC, David W. Sparks, and Joshua Stuart,  
jointly and severally, in the amount of \$227,218;

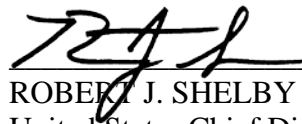
2. that judgment be entered in favor of Plaintiff and against Defendants B&W Auto LLC, David W. Sparks, and Diesel Power Gear LLC, jointly and severally, in the amount of \$90,000 and payable to Davis County, State of Utah;

3. that judgment be entered in favor of Plaintiff and against Defendants Diesel Power Gear LLC, B&W Auto LLC, David W. Sparks, Joshua Stuart, and Keaton Hoskins and that said defendants be permanently enjoined from: (1) removing or rendering inoperative federally-required emission control systems in diesel trucks; (2) installing parts or components in diesel trucks that bypass, defeat, or render inoperative federally-required emission control systems; (3) offering to sell or selling defeat parts; (4) removing or making inoperable the federally-required emission control system, device, or any part thereof; and (5) owning or operating vehicles with disabled emission control systems; and

4. that Plaintiff is entitled to costs of litigation, including reasonable attorney fees and expert witness fees under 42 U.S.C. § 7604(d).

DATED this 10th day of March 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read "R. J. Shelby", is written over a horizontal line.

ROBERT J. SHELBY  
United States Chief District Judge